

United States to waive the statutory lien given them, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, February 18, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 556, A bill to be entitled "An Act to amend Article 7596, Chapter 1, Title 128, Revised Civil Statutes of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, to authorize conservation and reclamation districts co-operating under contract with the United States to waive the preference lien given them by statute, and declaring an emergency,"

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

Committee Room,

Austin, Texas, February 18, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. J. R. No. 15, Proposing an amendment to the Constitution of the State of Texas, authorizing a tax levy for Confederate soldiers and sailors and their widows, and providing for submission of same to the qualified electors of this State at an election to be held on the first Tuesday after the first Monday in November, A. D. 1928, and providing for the necessary proclamation,

Have carefully compared same and find it correctly engrossed.

TAYLOR, Chairman.

TWENTY-SEVENTH DAY.

(Monday, February 21, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker.	Bass.
Albritton.	Bateman.
Alexander.	Beck.
Avis.	Bird.
Barnett.	Black.
Barron.	Boggs.

Boon.	Poage.
Branch.	Pool.
Brown.	Pope.
Conway.	Porter.
Cornwell.	Powell.
Cox.	Purl.
Cummings.	Ramsey.
Daniel.	Rawlins.
Davis.	Reagan.
Denman.	Renfro of Mills.
Duvall.	Rogers of Hays.
Enderby.	Rogers of Shelby.
Eickenroht.	Sanders.
Farrar.	Satterwhite.
Faulk.	Shaver.
Finlay.	Shearer.
Fly.	Sheats.
Forbes.	Shirley.
Fuchs.	Simmons.
Gibson.	Sinks.
Gilbert.	Smith of Nueces.
Graves.	Smith of Smith.
Gray.	Smyth.
Hall.	Snelgrove.
Harding.	Stell.
Harman.	Storey.
Hefley.	Stout.
High.	Sutton.
Holland.	Swain.
Hornaday.	Taylor.
Jacks.	Teer.
Jones.	Tillotson.
Justice.	Turner.
Kennedy.	Van Zandt.
Kincaid.	Veatch.
King of	Waddell.
Throckmorton.	Walker.
Kirkland.	Wallace
Land.	of Freestone.
Lipscomb.	Wallace of Panola.
Loftin.	Wallace of Smith.
Long.	Ware.
Masterson.	Wassell.
McCombs.	Webb.
McGill.	Wells.
Merritt.	Whitaker.
Minor.	Williams
Montgomery.	of Sabine.
Morse.	Williams
Murphy.	of Travis.
Nabors.	Williamson.
Nicholson.	Woodall.
Parrish of Travis.	Woodruff.
Pearce.	Young.

Absent.

DeBerry.	Petsch.
Foster.	Smith of Atascosa.
Gates.	Smith of El Paso.
Kenyon.	

Absent—Excused.

Anderson.	Durham.
Bonham.	Hagaman.
Dielmann.	Holder.
Dunlap.	Johnson.

Kayton.	Olsen.
Kemble.	Parish of Runnels.
King of Hopkins.	Pavlica.
Kinnear.	Renfro
Kirby.	of Angelina.
Loy.	Rowell.
McKean.	Runge.
Moursund.	Stevenson.

A quorum was announced present.

Prayer was offered by Rev. E. R. Bryan, pastor of the First Methodist Church of Austin.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Dunlap for today, on motion of Mr. Jacks.

Mr. Kinnear for today, on motion of Mr. Reagan.

Mr. Bonham for today, on motion of Mr. Turner.

Mr. Moursund for today on motion of Mr. Alexander of Bastrop.

Mr. Kayton for today, on motion of Mr. Pope.

Mr. Runge for today and Wednesday on motion of Mr. Stout.

Mr. Hagaman for today, on motion of Mr. Albritton.

Mr. Kemble for today, on motion of Mr. Morse.

Mr. Durham for today, on motion of Mr. Farrar.

Mr. King of Hopkins for today, on motion of Mr. Gray.

Mr. Dielmann for today, on motion of Mr. Sinks.

Mr. Holder for today, on motion of Mr. Graves.

Mr. Johnson for today, on motion of Mr. Daniel.

Mr. Rowell for today, on motion of Mr. Bird.

Mr. Loy for today, on motion of Mr. Minor.

Mr. Stevenson for today, on motion of Mr. Beck.

Mr. Parish of Runnels for today, on motion of Mr. Rogers of Shelby.

Mr. Pavlica for today, on motion of Mr. Barron.

Mr. Olsen for today, on motion of Mr. Albritton.

Mr. Anderson for today, on motion of Mr. Nicholson.

Mr. Renfro of Angelina for today, on motion of Mr. Cox.

The following members were granted leaves of absence on account of sickness:

Mr. Kirby for today and tomorrow, on motion of Mr. Holland.

Mr. McKean for today and the balance of the week, on motion of Mr. Rogers of Hays.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

By Mr. Van Zandt:

H. B. No. 585, A bill to be entitled "An Act to amend Article 1422 of the Penal Code of the State of Texas for 1925, so as to provide that the punishment for theft of property of the value of five dollars or under shall be by fine not exceeding two hundred dollars, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Young and Mr. Satterwhite:

H. B. No. 586, A bill to be entitled "An Act providing for the withholding from allotment to the public free school fund and sale of such land as may be gained or added to the State of Texas north of the South Fork of Red River as a result of the final determination of the suit of the State of Oklahoma, complainant, against the State of Texas, defendant; the United States of America, intervener, now pending in the Supreme Court of the United States in which a decree was entered January 3, 1927, ordering the establishment of the one hundredth meridian until such time after the entry of the final boundary decree as the Legislature may consider and provide for final disposition of such additional land as may be decreed to be within the State of Texas, and declaring an emergency."

Referred to Committee on Public Lands and Buildings.

By Mr. Harman (by request):

H. B. No. 587, A bill to be entitled "An Act to amend Article 5344 of the Revised Civil Statutes of Texas of 1925, being Chapter 140 of the Acts of the Regular Session of the Thirty-ninth Legislature, relating to the payment of royalty and money to the State under leases of certain public lands, islands, waters, bays, reefs, salt water lakes, river beds and channels and other submerged lands, so as to include 'river beds and channels' in the provision for the exemption of payment of \$2.00 per acre per annum where the leased area contains as much as 100 acres but not in excess of 500 acres upon which as many as five wells have been drilled and upon which an expenditure of as much as \$100,000 has been made."

Referred to Committee on Public Lands and Buildings.

**MOTION TO PRINT HOUSE BILL
NO. 284.**

Mr. Cummings moved that House bill No. 284 reported adversely with a minority favorable report be printed.

Yeas and nays were demanded, and the motion was lost by the following vote:

Yeas—42.

Barnett.	Loftin.
Barron.	Masterson.
Bateman.	Merritt.
Bird.	Minor.
Boggs.	Morse.
Brown.	Murphy.
Cummings.	Poage.
Farrar.	Pope.
Fuchs.	Reagan.
Gibson.	Rogers of Hays.
Graves.	Sanders.
Hall.	Sheats.
High.	Smith of Nueces.
Hornaday.	Smith of Smith.
Jacks.	Snelgrove.
Jones.	Stevenson.
Justice.	Stout.
Kincaid.	Swain.
King of	Walker.
Throckmorton.	Wallace
Kirkland.	of Freestone.
Land.	Wallace of Panola.

Nays—66.

Mr. Speaker.	Montgomery.
Acker.	Nabors.
Albritton.	Nicholson.
Bass.	Parrish of Travis.
Beck.	Pearce.
Black.	Pool.
Boon.	Powell.
Branch.	Purl.
Conway.	Ramsey.
Cornwell.	Rawlins.
Cox.	Renfro of Mills.
Daniel.	Rogers of Shelby.
Davis.	Satterwhite.
Duvall.	Shaver.
Enderby.	Shearer.
Faulk.	Shirley.
Finlay.	Simmons.
Fly.	Sinks.
Forbes.	Smyth.
Gilbert.	Stell.
Gray.	Storey.
Harding.	Sutton.
Harman.	Taylor.
Hefley.	Teer.
Holland.	Tillotson.
Kennedy.	Turner.
Long.	Van Zandt.
McCombs.	Veatch.
McGill.	Waddell.

Wallace of Smith.	Williams
Webb.	of Travis.
Wells.	Williamson.
Whitaker.	Woodall.
Williams	Woodruff.
of Sabine.	Young.

Absent.

Alexander.	Lipscomb.
Avis.	Petsch.
DeBerry.	Porter.
Denman.	Smith of Atascosa.
Eickenroht.	Smith of El Paso.
Foster.	Ware.
Gates.	Wassell.
Kenyon.	

Absent—Excused.

Anderson.	Kirby.
Bonham.	Loy.
Dielmann.	McKean.
Dunlap.	Moursund.
Durham.	Olsen.
Hagaman.	Parish of Runnels.
Holder.	Pavlica.
Johnson.	Renfro
Kayton.	of Angelina.
Kemble.	Rowell.
King of Hopkins.	Runge.
Kinnear.	

**RELATING TO HOUSE BILL
NO. 455.**

On motion of Mr. Holland, the Engrossing Clerk was authorized to make certain corrections in House bill No. 455.

**INVITATION FROM EAST TEXAS
CHAMBER OF COMMERCE.**

Speaker Bobbitt, by unanimous consent, presented Senator Moore, who extended to the members of the House an invitation to attend a banquet next Wednesday evening at the Stephen F. Austin Hotel, to be given for the members of the House and Senate by the East Texas Chamber of Commerce.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 21, 1927.
Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 162, A bill to be entitled "An Act providing that no law in this State shall prevent any person from vaccinating, inoculating or treating his own hogs with hog cholera virus or serum or other remedy; repealing any law in conflict with this act, and declaring an emergency."

S. B. No. 168, A bill to be entitled "An Act amending Articles 1256 and 1257 of the Penal Code of 1925, so as to properly define murder, and fixing the punishment for murder; inserting in the Penal Code a new article numbered 1257a, relating to what may be proved, and considered by the jury, in determining the punishment to be assessed for murder; repealing Chapter 15, of Title 15, of the Penal Code of 1925, relating to manslaughter and all other laws in conflict with this act, and declaring an emergency."

S. B. No. 157, A bill to be entitled "An Act providing that all statements made to any fraternal benefit society by the insured shall, in the absence of fraud, be deemed representations and not warranties; that the policies shall be incontestable after two years from date; and providing that in all cases where a loss occurs and the fraternal benefit society liable thereunder shall fail to pay the same within sixty days after proof of death has been made therefor, such society shall be liable to pay the beneficiary of such policy, in addition to the amount of loss, twelve per cent damages on the amount of such loss, together with reasonable attorneys' fee for the prosecution and collection of such loss; and providing the amount to be paid when age is mis-stated, and declaring an emergency," with engrossed rider.

S. B. No. 311, A bill to be entitled "An Act to repeal subdivision 1, Article 3883, Chapter 1, Title 61, of the Revised Civil Statutes of 1925, and to amend Article 3900, Chapter 1, Title 61, of the Revised Civil Statutes of 1925, so as to provide that certain officers in counties having a population of twenty-five thousand, or less, inhabitants, according to the last preceding United States census, shall be exempt from the provisions of Article 3891, 3896 and 3897, Chapter 1, Title 61, of the Revised Civil Statutes of 1925, and declaring an emergency."

S. C. R. No. 17, Providing for a uniform accounting system for State finances.

Respectfully,

MORRIS C. HANKINS,

Assistant Secretary of the Senate.

BILL RE-REFERRED.

On motion of Mr. Hall, House bill No. 346 was withdrawn from the Committee on Claims and Accounts and was referred to the Judiciary Committee.

BILLS ORDERED NOT PRINTED.

On motion of Mr. Jones, Senate bill No. 230 was ordered not printed.

On motion of Mr. Whitaker, Senate bill No. 347 was ordered not printed.

BILL ORDERED PRINTED.

On motion of Mr. Acker, House bill No. 522 reported adversely with a minority favorable report was ordered printed.

RELATING TO HOUSE BILL NO. 501.

On motion of Mr. Gibson, the Engrossing Clerk was authorized to make certain corrections in House bill No. 501.

RELATING TO CERTAIN BANKING BILLS.

On motion of Mr. Parrish of Travis, by unanimous consent, certain bills relating to banking were set as a special order for 10 o'clock a. m. next Wednesday.

HOUSE BILL NO. 352 ON SECOND READING.

On motion of Mr. Harman, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 352, A bill to be entitled "An Act making an emergency and supplemental appropriation out of the general revenues of this State for the maintenance and repair of the Governor's Mansion and grounds, including repairs, improvements, labor and replacement, and for purchasing new furniture and furnishings, for the balance of the fiscal year ending August 31, 1927, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 352 ON THIRD READING.

Mr. Harman moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 352 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—105.

Mr. Speaker.	Barron.
Acker.	Bass.
Alexander.	Bateman.
Avis.	Beck.
Barnett.	Bird.

Black.	Pool.
Boggs.	Pope.
Boon.	Porter.
Branch.	Powell.
Brown.	Purl.
Conway.	Ramsey.
Cornwell.	Rawlins.
Cummings.	Rogers of Hays.
Daniel.	Rogers of Shelby.
Davis.	Sanders.
Duvall.	Satterwhite.
Enderby.	Shaver.
Eickenroht.	Shearer.
Farrar.	Sheats.
Faulk.	Shirley.
Finlay.	Simmons.
Fly.	Sinks.
Forbes.	Smith of Nueces.
Fuchs.	Smyth.
Gilbert.	Snelgrove.
Graves.	Stell.
Gray.	Storey.
Hall.	Stout.
Harding.	Sutton.
Harman.	Swain.
Hefley.	Taylor.
High.	Teer.
Holland.	Tillotson.
Hornaday.	Turner.
Jacks.	Van Zandt.
Jones.	Veatch.
Justice.	Waddell.
Kennedy.	Walker.
Kirkland.	Wallace.
Land.	of Freestone.
Lipscomb.	Wallace of Panola.
Long.	Wallace of Smith.
Masterson.	Ware.
McCombs.	Webb.
McGill.	Wells.
Minor.	Whitaker.
Montgomery.	Williams.
Morse.	of Sabine.
Murphy.	Williams.
Nabors.	of Travis.
Nicholson.	Woodall.
Parrish of Travis.	Woodruff.
Pearce.	Young.

Nays—1.

Albritton.

Present—Not Voting.

Kincaid.

Absent.

Cox.	Merritt.
DeBerry.	Petsch.
Denman.	Poage.
Foster.	Reagan.
Gates.	Renfro of Mills.
Gibson.	Smith of Atascosa.
Kenyon.	Smith of El Paso.
King of	Smith of Smith.
Throckmorton.	Wassell.
Loftin.	Williamson.

Absent—Excused.

Anderson.	Kirby.
Bonham.	Loy.
Dielmann.	McKean.
Dunlap.	Moursund.
Durham.	Olsen.
Hagaman.	Parish of Runnels.
Holder.	Pavlica.
Johnson.	Renfro.
Kayton.	of Angelina.
Kemble.	Rowell.
King of Hopkins.	Runge.
Kinnear.	Stevenson.

The Speaker then laid House bill No. 352 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—106.

Mr. Speake	King of
Acker.	Throckmorton.
Albritton.	Kirkland.
Alexander.	Land.
Avis.	Long.
Barnett.	Masterson.
Barron.	McCombs.
Bass.	McGill.
Bateman.	Merritt.
Beck.	Minor.
Bird.	Montgomery.
Black.	Morse.
Boggs.	Murphy.
Boon.	Nabors.
Branch.	Nicholson.
Brown.	Parrish of Travis.
Conway.	Pearce.
Cornwell.	Pool.
Cummings.	Pope.
Daniel.	Powell.
Davis.	Purl.
Duvall.	Ramsey.
Enderby.	Rawlins.
Eickenroht.	Renfro of Mills.
Farrar.	Rogers of Hays.
Faulk.	Rogers of Shelby.
Finlay.	Sanders.
Fly.	Satterwhite.
Forbes.	Shaver.
Fuchs.	Shearer.
Gilbert.	Sheats.
Graves.	Shirley.
Gray.	Simmons.
Hall.	Sinks.
Harding.	Smith of Nueces.
Harman.	Smyth.
Hefley.	Snelgrove.
High.	Stell.
Holland.	Storey.
Hornaday.	Stout.
Jacks.	Sutton.
Jones.	Swain.
Justice.	Taylor.
Kennedy.	Tillotson.
Kincaid.	Turner.

Van Zandt.	Webb.
Veatch.	Wells.
Waddell.	Whitaker.
Walker.	Williams
Wallace	of Sabine.
of Freestone.	Williams
Wallace of Panola.	of Travis.
Wallace of Smith.	Woodall.
Ware.	Young.

Absent.

Cox.	Poage.
DeBerry.	Porter.
Denman.	Reagan.
Foster.	Smith of Atascosa.
Gates.	Smith of El Paso.
Gibson.	Smith of Smith.
Kenyon.	Teer.
Lipscomb.	Wassell.
Loftin.	Williamson.
Petsch.	Woodruff.

Absent—Excused.

Anderson.	Kirby.
Bonham.	Loy.
Dielmann.	McKean.
Dunlap.	Moursund.
Durham.	Olsen.
Hagaman.	Parish of Runnels.
Holder.	Pavlica.
Johnson.	Renfro
Kayton.	of Angelina.
Kemble.	Rowell.
King of Hopkins.	Runge.
Kinnear.	Stevenson.

(Mr. Satterwhite in the chair.)

HOUSE BILL NO. 314 ON SECOND READING.

On motion of Mr. McGill, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 314, A bill to be entitled "An Act to amend Section 19, of Article 8306, of the Revised Civil Statutes of Texas of 1925, relating to compensation for employes hired in Texas but injured outside of Texas, so as to provide that said section shall be amended to read as set forth in this act, and to declare an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. McGill offered the following (committee) amendments to the bill:

Amend House bill No. 314 by inserting in lieu of Section 3, the following:

"Should any section of this amendatory act, or any part of any section hereof, be held to be invalid, unconstitutional, or inoperative, no other part or parts thereof shall be held affected

thereby and the remaining provisions shall nevertheless stand effective and valid as if this act had been enacted without such part or parts held to be invalid, unconstitutional or inoperative."

And by designating the present Section 3 as Section 4.

Amend House bill No. 314 by inserting in the caption in the last line thereof after the word "act" the following:

"And providing that if any section of this act be held to be invalid, unconstitutional or inoperative that no other section or part thereof shall be affected thereby."

The amendments were severally adopted.

Mr. Stell offered the following amendment to the bill:

Amend House bill No. 314, page 1, by striking out Section 2 and renumber Section 3.

On motion of Mr. McGill the amendment was tabled.

House bill No. 314 was then passed to engrossment.

HOUSE BILL NO. 387 ON SECOND READING.

On motion of Mr. Denman, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 387, A bill to be entitled "An Act to amend Section 2, Article 6479, Chapter 11, Title 112, of the 1925 Revised Civil Statutes of Texas, relating to operation of passenger trains on railroads in Texas."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 387 ON THIRD READING.

Mr. Denman moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 387 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—93.

Acker.	Branch.
Alexander.	Brown.
Barnett.	Conway.
Barron.	Cornwell.
Bass.	Cummings.
Bateman.	Daniel.
Beck.	Davis.
Bird.	Denman.
Black.	Enderby.
Boggs.	Eickenroht.
Boon.	Farrar.

Faulk.	Rogers of Hays.
Finlay.	Rogers of Shelby.
Fly.	Sanders.
Forbes.	Satterwhite.
Fuchs.	Shaver.
Gilbert.	Shearer.
Graves.	Sheats.
Gray.	Shirley.
Harding.	Simmons.
Harman.	Smith of Nueces.
Hefley.	Smith of Smith.
High.	Smyth.
Holland.	Snelgrove.
Hornaday.	Stout.
Jacks.	Sutton.
Jones.	Swain.
Justice.	Taylor.
Kincaid.	Teer.
King of	Tillotson.
Throckmorton.	Turner.
Loftin.	Van Zandt.
Long.	Veatch.
Masterson.	Waddell.
McCombs.	Walker.
McGill.	Wallace
Merritt.	of Freestone.
Minor.	Wallace of Smith.
Morse.	Ware.
Murphy.	Wells.
Nabors.	Whitaker.
Nicholson.	Williams
Pearce.	of Sabine.
Pope.	Williams
Porter.	of Travis.
Powell.	Woodall.
Ramsey.	Woodruff.
Reagan.	Young.
Renfro of Mills.	

Nays—7.

Albritton.	Sinks.
Kennedy.	Stell.
Kirkland.	Wallace of Panola.
Land.	

Absent.

Avis.	Petsch.
Cox.	Poage.
DeBerry.	Pool.
Duvall.	Purl.
Foster.	Rawlins.
Gates.	Smith of Atascosa.
Gibson.	Smith of El Paso.
Hall.	Storey.
Kenyon.	Wassell.
Lipscomb.	Webb.
Montgomery.	Williamson.
Parrish of Travis.	

Absent—Excused.

Anderson.	Holder.
Bonham.	Johnson.
Dielmann.	Kayton.
Dunlap.	Kemble.
Durham.	King of Hopkins.
Hagaman.	Kinnear.

Kirby.	Pavlica.
Loy.	Renfro
McKean.	of Angelina.
Moursund.	Rowell.
Olsen.	Runge.
Parish of Runnels.	Stevenson.

The Speaker then laid House bill No. 387 before the House on its third reading and final passage.

The bill was read third time.

Question—Shall the bill be passed?

HOUSE BILL NO. 281 ON SECOND READING.

On motion of Mr. Sutton, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 281, A bill to be entitled "An Act to amend Subdivision 3, of Article 3926, Revised Statutes, 1925, relating to the payment of salary to the county judge by the commissioners court for presiding over said court, ordering elections, making returns thereof, hearing and determining civil causes, and transacting all other official business by fixing a scale for such salary with reference for population of counties and providing that the amount so paid shall be ex-officio, and not accountable under the maximum fee bill, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Sutton offered the following amendment to the bill:

Amend House bill No. 281 by striking out all below the enacting clause and insert in lieu thereof the following:

Section 1. That Subdivision 3, Article 3926, Revised Statutes, 1925, be so amended as to hereafter read as follows:

Article 3926, Subdivision 3. For presiding over the commissioners court, ordering elections and making returns thereof, hearing and determining civil causes, and transacting all other official business not otherwise provided for, the county judge shall receive such salary from the county treasury as the commissioners court may allow him by order and in addition thereto may allow not exceeding the following amounts as ex-officio salary:

In counties of 25,000 population, or less, \$1000.

In counties over 25,000 to 50,000 population, \$1500.

In counties of over 50,000 to 100,000 population, \$2000.

In counties of over 100,000 to 200,000 population, \$2500.

In counties of over 200,000 population, \$3000.

Provided, that in determining the number of inhabitants in each of the counties, the same shall be governed by the last preceding United States census, and provided further, that the amounts so paid as ex-officio shall not be accountable as fees of office but shall be in addition to the amounts allowed under the Maximum Fee Bill.

Sec. 2. All laws and parts of laws in conflict herewith are repealed.

Sec. 3. The fact that the county judges are now inadequately compensated in comparison with the duties and responsibilities of their office, and that in the more populous counties a necessity exists to fix the compensation at an amount sufficient to attract to and retain in the public service experienced and qualified men, and the importance of this legislation creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended, said rule is hereby suspended, and this act shall take effect and be in force from and after its passage, and it is so enacted.

Mr. Gray offered the following amendment to the amendment:

Amend committee substitute House bill 281 by striking out lines 4, 5, 6, 7 and 8, on page 3, and insert in lieu thereof the words "as the commissioners court may allow by order."

Mr. Purl moved that further consideration of the bill and amendments be postponed indefinitely.

Mr. Holland moved to table the motion, and the motion to table was lost.

Question then recurring on the motion to postpone the bill indefinitely, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—81.

Albritton.	Finlay.
Alexander.	Fly.
Avis.	Forbes.
Barnett.	Fuchs.
Bass.	Gilbert.
Beck.	Graves.
Bird.	Gray.
Black.	Hall.
Boon.	Harding.
Branch.	Hefley.
Conway.	High.
Cornwell.	Jones.
Cummings.	Kennedy.
Davis.	Kincaid.
Duvall.	King of
Enderby.	Throckmorton.
Eickenroht.	Kirkland.
Farrar.	Land.
Faulk.	Masterson.

McCombs.
McGill.
Merritt.
Minor.
Murphy.
Nabors.
Pearce.
Poage.
Pool.
Pope.
Powell.
Purl.
Ramsey.
Renfro of Mills.
Rogers of Hays.
Rogers of Shelby.
Sanders.
Satterwhite.
Sheats.
Shirley.
Simmons.
Sinks.
Snelgrove.

Stell.
Stout.
Swain.
Taylor.
Teer.
Van Zandt.
Veatch.
Waddell.
Walker.
Wallace
of Freestone.
Wallace of Panola.
Wallace of Smith.
Ware.
Wassell.
Webb.
Wells.
Whitaker.
Williams
of Sabine.
Williams
of Travis.
Woodruff.

Nays—23.

Bateman.
Boggs.
Cox.
Daniel.
Denman.
Gibson.
Holland.
Hornaday.
Jacks.
Justice.
Montgomery.
Morse.

Nicholson.
Shaver.
Shearer.
Smith of Nueces.
Smith of Smith.
Storey.
Sutton.
Turner.
Williamson.
Woodall.
Young.

Absent.

Acker.
Barron.
Brown.
DeBerry.
Foster.
Gates.
Harman.
Kenyon.
Lipscomb.
Loftin.

Long.
Parrish of Travis.
Petsch.
Porter.
Rawlins.
Reagan.
Smith of Atascosa.
Smith of El Paso.
Smyth.
Tillotson.

Absent—Excused.

Anderson.
Bonham.
Dielmann.
Dunlap.
Durham.
Hagaman.
Holder.
Johnson.
Kayton.
Kemble.
King of Hopkins.
Kinnear.

Kirby.
Loy.
McKean.
Moursund.
Olsen.
Parish of Runnels.
Pavlica.
Renfro
of Angelina.
Rowell.
Runge.
Stevenson.

Mr. Purl moved to reconsider the vote by which the bill was postponed indef-

initely and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 21, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 144, A bill to be entitled "An Act amending Article 4011 of the Revised Civil Statutes of 1925, so as to repeal that portion of said article requiring that if any corporation, company, association, or person mentioned in Article 4005 of the Revised Civil Statutes of 1925, shall grant to any minister of religion, a free pass over its lines of railroad, it shall issue like free transportation to each and every minister of religion in this State, who may make application therefor; and declaring an emergency."

S. B. No. 106, A bill to be entitled "An Act providing that the statement of facts concerning any family history and showing who were the legal heirs of any deceased person when contained in either affidavit or any instrument, when any such affidavit or instrument has been of record in the deeds record of any county in the State of Texas for five years or more shall be received in any suit as prima facie evidence of the facts therein stated, but if there be any error in the statement of facts in such recorded affidavit or instrument, the true facts may be proven by anyone interested in the proceeding in which said affidavit or instrument is offered in evidence."

S. C. R. No. 18, Providing for a convention to write a new Constitution for the State of Texas.

S. C. R. No. 22, Recalling Senate bill No. 223 from the Governor for further consideration.

S. B. No. 361, A bill to be entitled "An Act to amend Article 6954 of the Revised Civil Statutes of the State of Texas of 1925, the same being also Article 7235 as contained in Chapter 101 of the General Laws of the Regular Session of the Thirty-ninth Legislature, relating to stock law elections in reference to certain livestock, so as to insert in said article Leon and Panola counties, and declaring an emergency."

S. B. No. 332, A bill to be entitled "An Act to amend Article 3884, Revised Statutes, 1925, relating to compen-

sation of deputies and assistants of certain district and county officers, and declaring an emergency."

S. B. No. 326, A bill to be entitled "An Act creating a more efficient road system for Madison county, Texas; providing that the county commissioners shall be road commissioners of their respective precincts; providing that such commissioners shall have charge of the road teams, etc., and declaring an emergency."

S. B. No. 245, A bill to be entitled "An Act to amend Chapter 17, of the Harris county road law, passed by the Regular Session of the Thirty-third Legislature of the State of Texas, by amending Sections 9 and 19 thereof, with respect to the method of making purchases of materials and supplies and the awarding of contracts therefor, etc., and declaring an emergency."

S. B. No. 243, A bill to be entitled "An Act to amend Article 1302, Chapter 1, Title 32, Revised Civil Statutes of the State of Texas, 1925, relating to private corporations, by adding thereto a section providing for the formation of private corporations to own, operate and maintain amusement parks, theatres and recreation grounds, with power to maintain, conduct and operate theatrical performances, shows, enterprises and devices for amusement and recreation, and declaring an emergency."

S. B. No. 232, A bill to be entitled "An Act authorizing private corporations to be formed for any one or more of the following purposes: To accumulate and loan money, to sell and deal in notes, bonds and securities but without banking privileges; to act as trustee under any lawful express trust committed to it by contract; and as agents for the performance of any lawful act; to issue debentures, to subscribe for purchase, invest in, hold, own, assign, pledge and otherwise deal in and dispose of shares of capital stock, bonds, mortgages, debentures, notes and other securities or obligations, contracts and evidences of indebtedness of foreign or domestic corporations not competing with each other in the same line of business, provided that the power and authority herein conferred shall in no way affect any of the provisions of the anti-trust laws of this State, and declaring an emergency."

S. B. No. 202, A bill to be entitled "An Act regulating tuition, fees and charges at State educational institutions; limiting the amount of same; requiring the placing of same in the State Treasury so that the same shall be subject to appropriation of the Legislature

and payable on warrants of the Comptroller; permitting voluntary payments for student activities under certain restrictions, and declaring an emergency."

S. B. No. 179, A bill to be entitled "An Act amending Chapter 253, of the Special Laws of the State of Texas, passed by the Thirty-ninth Legislature, at the First Called Session thereof, which convened in the city of Austin, September 13, 1926, and adjourned October 8, 1926, relating to the creation of Road District No. 4 in Fayette county, Texas, validating and approving all orders made by the commissioners court of said county, in respect to the organization of said district, validating the authorization, issuance and sale of certain road bonds thereof and providing for their payment by the annual levy, assessment and collection of general ad valorem taxes on all taxable property in said road district; approving and validating all orders of the commissioners court of said county in respect to said road district, bonds and taxes, or certified copies thereof and constituting such orders legal evidence, evidencing proof of publication of constitutional notice required in such act, by adding thereto a section to be known as Section 3a."

S. C. R. No. 23, Providing for recall of Senate bill No. 60 from Governor's office for further consideration.

Respectfully,

MORRIS C. HANKINS,
Assistant Secretary of the Senate.

RECALLING SENATE BILL NO. 60 FROM THE GOVERNOR.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 23, To recall Senate bill No. 60 from the Governor.

Whereas, Senate bill No. 60 has passed the Senate and the House and is now on the Governor's desk for consideration; and

Whereas, It appears that there are some errors in the bill which might render it unconstitutional; therefore, be it

Resolved by the Senate, the House concurring, That Senate bill No. 60 be recalled from the Governor's desk and delivered to the Senate for correction and that the name of the President of the Senate and Speaker of the House be erased from the bill.

The resolution was read second time and was adopted.

HOUSE BILL NO. 212 ON SECOND READING.

On motion of Mr. Williamson, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 212, A bill to be entitled "An Act to amend Articles 6686 and 6688 of Revised Civil Statutes of 1925, which articles provide for the manner of registering motor vehicles by manufacturers or dealers, the issuance of distinctive license plates to such dealers and manufacturers; and which amendments provide for the filing with the registration officer by every dealer affidavit of occupation as dealer, indicating make of motor vehicle sold; providing motor vehicles and motorcycles shall be registered in the county of residence of owner or of main place of business; providing for two number plates, marked 'front' and 'rear'; providing that every dealer or manufacturer shall transmit notice of every sale of motor vehicle to the Highway Department, and declaring an emergency."

The Speaker laid the bill before the House and it was read second time.

Mr. Hall offered the following amendment to the bill:

Amend House bill No. 212 by striking out Section "D," page 2, line 25, and insert the following:

"All registration fees shall be paid in the county in which the owner lives at the time of registration of said motor vehicle."

The amendment was adopted.

Mr. Wallace of Freestone offered the following amendment to the bill:

Amend House bill No. 212, after the word "respectfully," Article 6688, of printed bill, by adding the following in line 40:

"Provided that the applicant for registration of motor vehicle shall state under oath the kind of motor vehicle the applicant wishes to register and that said number plates will not be used on any car other than the one stated in application."

The amendment was adopted.

House bill No. 212 was then passed to engrossment.

EXTENDING INVITATION TO MR. AND MRS. GIBSON.

Mr. Long offered the following resolution:

Whereas, It has come to the attention of several members of this body that a fellow member on Sunday last embarked upon the most important voyage of life; and

Whereas, Said voyagers are the Hon. and Mrs. Merritt H. Gibson; and now, therefore, be it

Resolved by the House of Representatives, That said Merritt H. Gibson and Mrs. Gibson are to be congratulated for taking this important step in life, and that the House extend to said named parties a most cordial invitation to accompany this body on the Laredo trip in lieu of their honeymoon.

Signed—Long, Woodall.

The resolution was read second time and was adopted.

HOUSE BILL NO. 527 ON SECOND READING.

On motion of Mr. McGill, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 527, A bill to be entitled "An Act to amend Article 288 of the Penal Code of the State of Texas, adopted at the Regular Session of the Thirty-ninth Legislature, 1925, so as to make it lawful to teach the Spanish language in the elementary grades in public free schools in counties bordering on the boundary line between the United States and the Republic of Mexico, having a city or cities of a population of five thousand inhabitants, or more, according to the United States census of 1920, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 387 ON THIRD READING.

The Speaker laid before the House, as postponed business, on its final passage,

H. B. No. 387, A bill to be entitled "An Act to amend Section 2, Article 6479, Chapter 11, Title 112, of the 1925 Revised Civil Statutes of Texas, relating to operation of passenger trains on railroads in Texas."

The bill having heretofore been read third time.

Mr. Jones offered the following amendment to the bill:

Amend House bill No. 387 by striking out all after "commissioner," in line 25, and inserting in lieu thereof the following: "Provided that four trains each way, carrying passengers for hire, if so many are run daily, Sundays excepted, be required to stop as aforesaid at all county seat stations; and if such railroad or branch of same shall operate a gasoline or electric motor car over its

line carrying passengers for hire in this State, such motor car shall be deemed a train within the meaning of this article and shall be subject to and included within the requirements that at least be run every day, Sundays excepted, and the requirement made by the commission as to stopping for a time sufficient to receive and let off passengers at designated stations."

The amendment was adopted.

Question—Shall the bill be passed?

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

Senate bill No. 106, to the Judiciary Committee.

Senate bill No. 144, to the Committee on Common Carriers.

Senate bill No. 157, to the Committee on Insurance.

Senate bill No. 162, to the Committee on Public Health.

Senate bill No. 168, to the Committee on Criminal Jurisprudence.

Senate bill No. 179, to the Committee on Highways and Motor Traffic.

Senate bill No. 202, to the Committee on Education.

Senate bill No. 232, to the Committee on Municipal and Private Corporations.

Senate bill No. 243, to the Committee on Municipal and Private Corporations.

Senate bill No. 285, to the Committee on Highways and Motor Traffic.

Senate bill No. 311, to the Committee on State Affairs.

Senate bill No. 326, to the Committee on Highways and Motor Traffic.

Senate bill No. 332, to the Judiciary Committee.

Senate bill No. 361, to the Committee on Stock and Stock Raising.

ADJOURNMENT.

Mr. Wallace of Freestone moved that the House adjourn until 10 o'clock a. m. next Wednesday.

Mr. Van Zandt moved that the House adjourn until 11 o'clock a. m. next Wednesday.

Mr. Hornaday moved that the House adjourn until 2 o'clock p. m. next Wednesday.

The motion of Mr. Wallace of Freestone prevailed, and the House accordingly, at 12:20 o'clock p. m., adjourned until 10 o'clock a. m. next Wednesday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees, have today filed favorable reports on bills as follows:

Judiciary: House bills Nos. 583, 581, 521; Senate bill No. 230.

Judicial Districts: House bills Nos. 582, 580; Senate bill No. 347.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, February 19, 1927.

Hon. Robert Lee Bobbitt, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 140, "An Act providing for bail in habeas corpus cases where the defendant is remanded to custody of an officer and the case is appealed, and declaring an emergency,"

Have carefully compared same and find it correctly enrolled.

MORSE, Chairman.

TWENTY-EIGHTH DAY.

(Wednesday, February 23, 1927.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Bobbitt.

The roll was called, and the following members were present:

Acker.	Dielmann.
Albritton.	Duvall.
Alexander.	Enderby.
Anderson.	Eickenroht.
Avis.	Farrar.
Barnett.	Faulk.
Barron.	Finlay.
Bass.	Fly.
Bateman.	Forbes.
Beck.	Fuchs.
Bird.	Gates.
Black.	Gibson.
Boggs.	Gilbert.
Bonham.	Graves.
Boon.	Gray.
Branch.	Hagaman.
Brown.	Hall.
Conway.	Harding.
Cornwell.	Harman.
Cox.	Hefley.
Cummings.	High.
Daniel.	Holder.
Davis.	Holland.
DeBerry.	Hornaday.
Denman.	Jacks.

Jones.	Sanders.
Justice.	Satterwhite.
Kayton.	Shaver.
Kennedy.	Shearer.
Kincaid.	Sheats.
King of Hopkins.	Shirley.
King of Throckmorton.	Simmons.
Kirkland.	Sinks.
Land.	Smith of Nueces.
Lipscomb.	Smith of Smith.
Loftin.	Smyth.
Long.	Snelgrove.
Loy.	Stell.
Masterson.	Stevenson.
McCombs.	Storey.
McGill.	Stout.
McKean.	Sutton.
Merritt.	Swain.
Minor.	Taylor.
Montgomery.	Teer.
Morse.	Tillotson.
Moursund.	Turner.
Murphy.	Van Zandt.
Nabors.	Veatch.
Nicholson.	Waddell.
Parrish of Travis.	Walker.
Pavlica.	Wallace
Pearce.	of Freestone.
Poage.	Wallace of Panola.
Pool.	Wallace of Smith.
Pope.	Ware.
Porter.	Wassell.
Powell.	Webb.
Purl.	Wells.
Ramsey.	Whitaker.
Rawlins.	Williams
Renfro	of Sabine.
of Angelina.	Williams
Renfro of Mills.	of Travis.
Rogers of Hays.	Williamson.
Rogers of Shelby.	Woodall.
Rowell.	Woodruff.
Runge.	Young.

Absent.

Kenyon. Kinnear.

Absent—Excused.

Dunlap.	Olsen.
Durham.	Parish of Runnels.
Foster.	Petsch.
Johnson.	Reagan.
Kemble.	Smith of Atascosa.
Kirby.	Smith of El Paso.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Dunlap for today, on motion of Mr. Jacks.